

Approved For Release 2004/07/08 : CIA-RDP81M00980R003300140024-5



Washington, D.C. 20505

Executive Registry

78-8635/B

OLC 78-1034/c

31 MAR 1978

Honorable Robert Morgan, Chairman
Select Committee on Ethics Subcommittee
United States Senate
Washington, D.C. 20510

*Entire Package
filed SEC*

Honorable Harrison H. Schmitt
Vice Chairman
Select Committee on Ethics Subcommittee
United States Senate
Washington, D.C. 20510

Dear Sirs:

Thank you for your letter to Admiral Turner of 15 March 1978, regarding recent requests by your Special Counsel for a damage assessment and other material relating to unauthorized disclosures of intelligence information.

Admiral Turner and I are most appreciative of the Ethics Committee's efforts [redacted]

[redacted] we have become increasingly concerned over the amount of sensitive intelligence information that has been disclosed without authorization in the news media and elsewhere recently, and we intend to cooperate with you in the pursuit of your investigations. The assessment of damage resulting from a [redacted] article was delivered as requested to your Special Counsel [redacted]

We appreciate the difficult and complex task of investigating unauthorized disclosures without contributing to the risk of further disclosures in the process. This is one of the compelling reasons why access to sensitive information should be governed by a clear and demonstrable need for the information in the pursuit of the investigation. In this connection, your Special Counsel's willingness to clarify the relevance of several requests for such access is appreciated.

I am confident that both your Subcommittee's requirements and the DCI's responsibilities for protecting intelligence sources and methods from unauthorized disclosure can be met, and our mutual interest in eliminating unauthorized disclosures furthered. In this regard, I believe that our mutual interests would be served by agreeing on a set of general principles and procedures as was accomplished in the Memorandum of Understanding signed by Chairman Stevenson and the DCI last November in connection with the Ethics Committee's inquiry. It is my understanding that my Legislative Counsel is exploring this matter with your Special Counsel.

Sincerely,

/s/ Frank C. Carlucci

Frank C. Carlucci
Acting Director

Distribution:

Orig - Adse
1 - A/DCI
1 - ER
1 - IG
1 - OGC
1 - [redacted]
1 - OLC/Subj
1 - OLC/Chrono

OLC/GMC/jms (28 Mar 78)
Retyped:LLM/ksn (30 Mar 78)

MAR 31 10 54 AM '78

APR 1 11 18 AM '78

ER

ER

UNCLASSIFIED

CONFIDENTIAL

SECRET

EXECUTIVE SECRETARIAT

Routing Slip

TO:

		ACTION	INFO	DATE	INITIAL
1	Acting DCI		X		
2	LC	X			
3	IG		X		
4	GC		X		
5					
6					
7					
8					
9					
10					
11					
12					

SUSPENSE

Date

Remarks: To 2: Please develop response for Acting DCI's signature. Executive Registry has no record of either the 9 Mar or the 3 Feb Request from the Committee on Ethics mentioned in the first para. of the attached letter.

D/ Executive Secretary

20 Mar 78

Date

3637 (10-77)

25X

ILLEGIB

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INTERNAL
USE ONLY

CONFIDENTIAL



SECRET

ROUTING AND RECORD SHEET

SUBJECT: (Optional)

FROM:

Acting Legislative Counsel

EXTENSION

NO.

ER 78-8635/B

DATE

31 MAR 1978

TO: (Officer designation, room number, and building)

DATE

OFFICER'S
INITIALS

COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)

1.

A/DCI

31 MAR 1978 31 MAR 1978

2.

3.

4.

5.

OLC (for handcarry)

6.

7.

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13.

14.

15.

On 28 March you signed a letter to Senators Morgan and Schmitt who compose a Special Ethics Subcommittee to investigate possible unauthorized disclosures in the Senate

Their Special Counsel called and convinced me that the letter we had recommended you sign was too barbed and by inference did an injustice to

I have revised the 28 March letter and recommend that you sign it and we will substitute it for the one now in the Special Counsel's hands. It retains the principles of the earlier letter.

This was coordinated with IG, OGC and



SECRET



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PREVIOUS RESPONSE - WITHDRAWN
FROM COMMITTEE

25X1

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Next 3 Page(s) In Document Exempt

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ROUTING AND RECORD SHEET

SUBJECT: (Optional)

FROM:

Acting Legislative Counsel

EXTENSION

NO.

ER 78-8635/A

DATE

28 MAR 1978

TO: (Officer designation, room number, and building)

DATE

OFFICER'S INITIALS

COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)

1.

Acting DCI

2.

3.

OLC (for MAILING)

4.

5.

6.

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The attached letter responds to Senators Robert Morgan (D., N.C.) and Harrison H. Schmitt (R., N. Mex.), who wrote to the DCI to reiterate a staff request for CIA material wanted in connection with Ethics Subcommittee investigations of unauthorized disclosures of intelligence information. The reply expresses a desire to be cooperative, cautions against the possibility of such investigations themselves jeopardizing sources and methods, and suggests the execution of a Memorandum of Understanding between the Subcommittee and the DCI. The idea of a Memorandum of Understanding has already been discussed with the Subcommittee's Special Counsel, who said he would not object if we thought it necessary.

This letter has been coordinated with OGC, IG, and

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: Mr. [REDACTED]

DATE OF REQUEST

24 March 1978

FROM

SUSPENSE DATE

27 March 78

SUBJECT:

Acting DCI reply to Morgan/Schmitt letter

NOTES

Pat and I have met with Ethics Subcommittee Special Counsel Don Sanders. The Morgan/Schmitt Subcommittee is charged with carrying out the Ethics Committee's responsibilities regarding unauthorized disclosures, and we are thus likely to have a continuing relationship. (The DCI's letter to SSCI Chairman Bayh on the [REDACTED] 25X leak could, for example, prompt a referral to Ethics, and hence to Sanders). We think a Memorandum of Understanding with the Morgan/Schmitt Subcommittee is essential, and the attached Acting DCI response to the Senators' letter suggests this. Such a MOU would, incidentally, provide another opportunity to attempt to establish OLC as an intelligence community focal point. Background material is attached for your information. ILLEGIB

[Signature]

COORDINATED WITH (list names as well as offices)

NAME

[REDACTED] (in draft)

NAME

[REDACTED] (in draft)

NAME

NAME

ACTION

Routing sheet for your signature and forward to Acting DCI

*CANDO,
new sheet
attached*

Go